

09/380080

10-18-99



## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

U.S. APPLICATION NO. 09/380080

PERSON

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10438-0901-6 PCT

5071  
OBLON SPIVAK MCCLELLAND MAIER & NEU  
1755 JEFFERSON DAVIS HIGHWAY  
CRYSTAL SQUARE FIVE FOURTH FLOOR  
ARLINGTON VA 22202

INTERNATIONAL APPLICATION NO.

PCT/SE98/00273

I.A. FILING DATE

02/17/98

PRIORITY DATE

02/25/97

10/14/99

DATE MAILED:

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☐ a non-English language.  
☒ English.

☐ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☐ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917

☐ PTO-875

☐ Notice of Defective Translation

FORM PCT/DO/EO/905 (December 1997)

Telephone: (202) 305-3734

(703) 305-3734

**RECEIVED**

OCT 18 1999

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: Lars PERSSON  
SERIAL NUMBER: 09/380,080  
FILED: August 25, 1999  
FOR: HEAT EXCHANGER WITH LEAKAGE VENT

SUBMISSION OF VERIFIED STATEMENT CLAIMING  
SMALL ENTITY STATUS UNDER 37 CFR 1.28(a)

Assistant Commissioner for Patents  
Washington, D.C. 20231

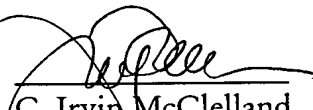
Sir:

In accordance with the provisions of 37 CFR 1.28(a), Applicant submits herewith a  
Verified Statement Claiming Small Entity Status.

Therefore, all future Patent Office fees will be reduced by one-half.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
C. Irvin McClelland  
Attorney of Record  
Registration No. 21,124  
William E. Beaumont  
Registration No. 30,996

Crystal Square Five-Suite 400  
1755 Jefferson Davis Highway  
Arlington, Virginia 22202  
(703) 413-3000

28 Rec'd

15 NOV 1999

DOCKET NO. 10438-0001-6 PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Lars PERSSON

SERIAL NUMBER: 09/380,080

FILED: August 25, 1999

FOR: HEAT EXCHANGER WITH LEAKAGE VENT

**RESPONSE TO NOTICE OF MISSING REQUIREMENT UNDER 35 U.S.C. 371**

ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **October 14, 1999**, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

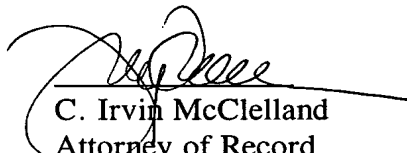
The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$ - 0 - is attached hereto. If any variance exists between the amount enclosed, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
C. Irvin McClelland  
Attorney of Record  
Registration No. 21,124  
William E. Beaumont  
Registration No. 30,996

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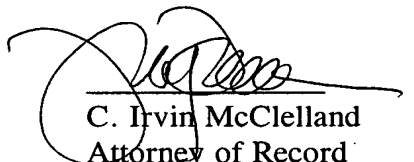
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IN RE APPLICATION OF: Lars PERSSON

60 Rec'd PCT/PTO

15 NOV 1999

SERIAL NO.: 09/380,080

FILED: August 25, 1999

FOR: HEAT EXCHANGER WITH LEAKAGE VENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith: Response to Notice of Missing Requirement/Declaration  
Submission of Verified Statement Claiming Small Entity Status/Small Entity Declaration  
Preliminary Amendment/Copy of Notification of Missing Requirements under 35 U.S.C. 371

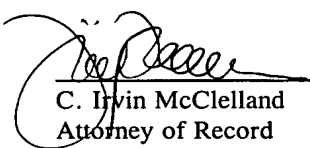
The fee has been calculated as shown below.

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
TOTAL	* 20	MINUS	** 20	= 0	X9 =	\$	X18 =	\$ .00
INDEP	* 1	MINUS	*** 3	= 0	X39 =	\$	X78 =	\$ .00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+130=	\$	+260=	\$
TOTAL						\$	TOTAL	\$ .00

A check in the amount of \$\_\_\_\_\_ is attached.

**XX** Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

**XX** If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.
  
 C. Irvin McClelland  
 Attorney of Record  
 Registration No. 21,124  
 William E. Beaumont  
 Registration No. 30,996

 Fourth Floor  
 1755 Jefferson Davis Highway  
 Arlington, Virginia 22202  
 (703) 413-3000

\*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.  
 \*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.  
 \*\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.